

# **Exhibit A**

### **Exhibit A: CV of Lynne J. Weber, Ph.D.**

Dr. Lynne Weber is a Managing Director in the Silicon Valley office of Duff & Phelps, LLC. She has more than 35 years of consulting experience, with expertise in market strategy analysis, market research, statistics, data analytics, econometrics, forecasting, and risk assessment. She has served as an expert regarding market research surveys, statistics, econometrics, market analyses, pricing, and "but for" projections.

#### Professional and Business Experience

- Managing Director, Duff & Phelps (2005 – present)
- Managing Director, Standard & Poor's (2001 – 2005)
- Principal, PricewaterhouseCoopers LLP (1998 – 2001)
- Applied Decision Analysis, Inc. (1980 – 1998, since 1985 in the position of Principal)
- Summer intern, AT&T Bell Laboratories, Holmdel NJ (Summer 1976 and Summer 1977)

#### Examples of Engagement Experience

- **Strategic Value Advisory.** Has led more than 200 engagements involving analysis of marketing, pricing, product development, product design, product line, distribution channel, bundling, partnering, segmentation, advertising, customer satisfaction and/or business strategies, often via development of models to forecast customer response to, and/or revenues of, new and existing offerings and technologies under "What if..." scenarios.
- **Market Research.** Has led more than 200 market research studies, using online, phone, mail, email, focus group and personal interviewing methodologies, conducted in US, Canada, Europe and Asia, with consumers, B2B customers, and channels. Has conducted numerous surveys, including conjoint measurement surveys, to measure demand for products & features, price sensitivity, inertia, brand value, feature value, usage of features and consumables, attitudes, behaviors, response to messaging, and perceptions. Has moderated hundreds of focus groups.
- **Statistics.** Has led statistical analyses and data analytics engagements to project the following from statistical samples and/or datasets: demand, usage, defect rates, product failure rates, warranty expenses, foreign exchange rates, commodity prices; manufacturing capacity, supply, telemarketing success, collections, unclaimed property, R&D tax credits, and going concern audit opinions.
- **Litigation Support.** Provides expert reports and testimony in complex commercial litigation. Has served as an expert on patent, contract, false advertising, trademark, anti-trust and product liability disputes, regarding: projections of lost sales; econometrics; statistics; pricing; market analyses; and surveys to measure customer choice, willingness-to-pay, switching propensity, usage, and importance of product features and brand.
- **Econometrics.** Has used government, client and third party databases, leveraging data such as historical financials, employment, consumer sentiment, exports, imports, consumer spend and/or industry-specific revenues, unit sales, prices, production, web searches, and/or analyst or economist forecasts of these variables, to forecast (or estimate in a "but for" world) sales, prices, production, market share, losses and other financials. Has estimated the impact of

alleged collusive behavior on price. Has developed econometric models in more than a dozen industries.

- ***Strategic Planning.*** Has assisted clients with strategy valuation/selection and with implementation of best practice planning processes. Has led workshops to identify creative strategic alternatives for business growth, acquisition, divestiture, market entry, big M marketing strategy, and/or operational strategy.
- ***Commercial Due Diligence.*** Has assessed the achievability of projected M&A results, and the impact of deal terms, in light of market research, historical performance, comparables, competitive positioning, and market trends.
- ***Business and IP Valuation.*** Has developed financial projections and/or expected cash flows for evolving markets, R&D investments and patent portfolios, to support business valuations, M&A, and tax valuations.
- ***Valuation of Contingent Assets & Liabilities.*** Has valued contingent consideration (e.g. earn-outs and performance incentives, commonly found in M&A deals related to young/growth companies, pre-launch products and services companies) on more than 100 transactions. Has valued liabilities arising from contingencies such as guarantees, warranties, loss sharing arrangements, and indemnifications for financial reporting purposes.
- ***Operations Value Advisory.*** Has helped clients determine profitability by product line and allocate resources to improve manufacturing, telemarketing, prospect targeting, and service/support operations.

#### Selected Publications and Presentations

- VFR Valuation Advisory #4 “*Valuation of Contingent Consideration*” (co-author), The Appraisal Foundation, February 2019.
- “Cryptocurrency: Current Issues and Trends” (panelist), Duff & Phelps IP Value Summit, November 2018.
- “Hot Topics in Patent Licensing & Litigation” (panel moderator), LES MCLE, March 2018.
- “The Art and Science of IP Valuation” (with J. Lewis, et al.), LES Annual Spring Meeting, May 2017.
- ASA “Ask the Experts” webinar on the Valuation of Contingent Consideration (co-presenter), May 2017.
- “Valuation of Digital Assets”, MIT Computational Law Course, January 2017.
- “IP Valuation: Methods and Trends” (with J. Kloos), Duff & Phelps IP Value Summit, December 2016.
- “Brexit: A valuation focus on how best to prepare and respond” (co-author), *Financial Director*, July 2016.
- “Patent Values and Litigation: The New Normal?” (with C. Bakewell, et al.), Licensing Executives Society MCLE, Feb 2015.
- “Survey Says!” (with T. Britven), Licensing Executives Society MCLE, June 2013.

- “Lessons Learned in Valuing Contingent Consideration” (with G. Raichart), *Financial Executive*, May 2012.
- “Best Practices in Warranty Modeling from a Finance Point of View”, Warranty Chain Management Conference, March 2012.
- “The Happy Divorce” (with G. Raichart), *The Deal*, August 2011.
- “Going Concern” (with J. Palmer), *Accountancy Magazine*, Dec 2010.
- “Valuing Contingent Consideration under SFAS 141R, *Business Combinations*” (with R. Schwartz) in *Business Valuation Review* Vol 28, No. 2, 2009. Presentations on valuation of contingent assets and liabilities at American Society of Appraisers (ASA), Financial Executives International (FEI), Business Valuation Resources, and AGN Conferences in 2008-2012 and in 2018.
- “Valuing a License” (with S. Columbia), Suffolk University Law School CLE Program on Licensing: Seizing Opportunities and Mitigating Risks, 2007.
- “Winning with Better Forecasts” (with A. Cody), in *Mergers & Acquisitions Journal*, Nov 2007.
- “Forecasting without Looking in the Rearview Mirror”, INFORMS Roundtable Winter Meeting, 2006.
- “Integrating Market Research and New Product Development”, Frost & Sullivan's Advanced Marketing Research Executive Summit, 2005.
- “Optimizing the Design of Service Businesses”, Computer Market Analysis Group (CMAG) Conference, 2005.
- “Do You Partner Smart? Valuing Strategic Alternatives”, Frost & Sullivan's Healthcare Opportunities 2003 Executive Summit, 2003.
- “Forecasting the Market for New Technologies”, CMAG Conference, 2002.
- “Manufacturing Strategy in an Uncertain World” (with Genentech's C. Rice), Proceedings IIR Conference on Strategic Planning for the Clinical and Commercial Manufacturing of Biopharmaceuticals, and Proceedings of the Bay Area BioScience Center Gene Acres Conference, 2002.

Expert Witness Testimony, last four years

- **Wi-LAN Inc., et al. v. LG Electronics, Inc., et al.** Case No. 18-cv-01577-H-BGS, US District Court, Southern District of California, August 2019. Report
- **Sony Music Entertainment, et al. v. Cox Communications Inc., et al.** Case 1:18-cv-00950-LO-JFA, US District Court, Eastern District of Virginia, June 2019. Deposition testimony, report
- **Hallufix AG v. DJO, LLC and ORMED GmbH**, Arbitral Proceeding DIS-SV-SL-6100/16, Munich, November 2017. Testimony at international arbitration hearing, report
- **VideoShare, LLC v. Google Inc. and YouTube, LLC**. Case 13-cv-990-GMS, US District Court, District of Delaware, June 2016. Deposition testimony, report
- **MobileMedia Ideas LLC v. Apple Inc.** Case 10-258-SLR, US District Court, District of Delaware, April 2016. Deposition testimony

- ***Under Armour, Inc. v. adidas AG.*** Case No. IPR2015-00700 before the Patent Trial and Appeal Board, United States Patent and Trademark Office, April 2016. Deposition testimony
- ***Mirror Worlds Technologies, LLC v. Apple Inc., et al.*** Civil Action No. 6:13-cv-419, US District Court, Eastern District of Texas, Tyler Division, January 2016. Deposition testimony
- ***adidas AG and adidas America, Inc. v. Under Armour, Inc. and MapMyFitness, Inc.*** Case No. 14-130-GMS, US District Court, District of Delaware, October 2015. Deposition testimony
- ***Aylus Networks, Inc. v. Apple Inc.*** Case No. 3:13-cv-04700-EMC, US District Court, N.D. California, October 2015. Deposition testimony
- ***The Nutro Company v. Paragon Pet Products USA, Inc. and Unipet USA LLC.*** Case 3:12-cv-1232, US District Court, Middle District of Tennessee, Nashville Division, August 2015. Deposition testimony

*Education*

Ph.D. - Operations Research, Stanford University  
M.S. - Statistics, Stanford University  
B.A. - Math, Cornell University

*Professional Affiliations*

American Marketing Association, Member  
American Bar Association, Associate Member